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TO RUEHC/SECSTATE WASHDC IMMEDIATE 1013
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RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC
RHMFISS/JOINT STAFF WASHINGTON DC
RUCNDT/USMISSION USUN NEW YORK 0055
RUEKJCS/SECDEF WASHINGTON DC

C O N F I D E N T I A L SECTION 01 OF 02 ATHENS 001611

SIPDIS

AMEMBASSY ANKARA PASS TO AMCONSUL ADANA
AMEMBASSY ASTANA PASS TO USOFFICE ALMATY
AMEMBASSY BERLIN PASS TO AMCONSUL DUSSELDORF
AMEMBASSY BERLIN PASS TO AMCONSUL LEIPZIG
AMEMBASSY BELGRADE PASS TO AMEMBASSY PODGORICA
AMEMBASSY HELSINKI PASS TO AMCONSUL ST PETERSBURG
AMEMBASSY ATHENS PASS TO AMCONSUL THESSALONIKI
AMEMBASSY MOSCOW PASS TO AMCONSUL VLADIVOSTOK
AMEMBASSY MOSCOW PASS TO AMCONSUL YEKATERINBURG

E.O. 12958: DECL: 2019/11/09

TAGS: [PREL](#) [PGOV](#) [PHSA](#) [EWWT](#) [GR](#)

SUBJECT: PIRACY: GREEK HEARTBURN WITH THE NEW YORK DECLARATION

REF: ATHENS 1599

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CLASSIFIED BY: Deborah A. McCarthy, Deputy Chief of Mission; REASON:
1.4(B), (D)

11. (C) SUMMARY. PolMil Chief met at MFA November 3 to establish Greek views on signing the New York Declaration at the upcoming Plenary of the Contact Group on Piracy off the Coast of Somalia (CGPCS) in January 2010. While the MFA values our overall cooperation on counterpiracy, they have continuing reservations about signing the Declaration as it currently stands. Further, MFA experts remain irked that the Declaration was not a negotiated text, but was presented to the CGPCS as a fait accompli to take or leave; Greece would like to see the text reopened, negotiated, and reissued. MFA continues to believe that while Greek shipowners support the general goals of the Declaration, they do not like its specific text. The November 12 meeting between the PM bureau and the Union of Greek Shipowners should enable the USG to flesh this assertion out. END SUMMARY.

12. (C) Following up on A/S Shapiro's October meetings with Greek officials in Athens (reftel), PolMil Chief met with MFA piracy coordinator Dimitris Papandreou to elaborate on Greek views toward the New York Declaration on best practices for merchant vessel self-protection, with an eye to signing at the January 2010 meeting of the CGPCS. Papandreou, while praising the work of the Contact Group and reiterating his positive assessment of U.S.-Greek cooperation against piracy, outlined the MFA's chief problems with the Declaration:

-- Greece supports the vast majority of the text, but continues to have difficulty understanding why the Declaration was not negotiated on a consensual basis among all Contact Group participants in Working Group 3.

-- Greece's primary objection is found in the final paragraph of the Declaration which deals with the ISPS Code. The paragraph, Papandreou asserted, creates an inappropriate linkage between piracy and terrorism, and the use of the word "ensure" creates a

facade of legal obligation, despite U.S. assurances.

-- The use of the term "innocent passage" in the first paragraph of the introduction is inappropriate, as the term has a specific legal meaning according to the Law of the Sea treaty.

¶3. (C) When asked what it would take to have Greece sign on to the Declaration as it stood today, Papandreou made it clear that Greece wishes to have the Declaration reopened, negotiated, and issued as a consensus document. He believed that the document would end up the better for it, and as a political declaration, would have the full force of all CGPCS participants behind it. In his eyes, the UK caveat on the language referring to the ISPS Code validates the Greek position. He was reluctant to consider Greece signing on with a similar caveat, as in his view, caveats weaken the Declaration, and give it a more legalistic appearance. Nevertheless, he wished to continue a dialogue leading up to January's Plenary.

¶4. (C) Comment: Continued, focused high-level engagement over the course of November and into December will be important if this reticence from the bureaucracy will have any chance of being overcome with a policy decision from above. The November 12 visit of the delegation from the Union of Greek Shipowners will be an important opportunity to clarify their views toward the Declaration, and to seek to get them on "our" side in urging the Greek government to sign. As an important business lobby in

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Greece, a negative outlook by the shippers toward the Declaration will make it doubly hard for the Government to agree. Post recommends high-level follow-up in Washington, and will continue to engage high-level interlocutors here. End comment.
Speckhard